

Texas Payday Wage Claim Process Desk Aid

This desk aid provides guidance to staff members who assist customers in filing a Texas Payday Wage Claim. For information about the Texas Payday Law, go to Texas Workforce Commission's (TWC) [Payday Law web page](#). For questions, call the *Work and Hour department* at 512-475-2670 or 800-832-9243.

Wage and Hour Department Contact Information

Online: [Online Wage Claim](#).
(<https://apps.twc.texas.gov/wageclaim/logon>)
Phone: 512-475-2640 or 800-832-9243
Mail: Texas Workforce Commission
Wage and Hour Department
101 East 15 Street, Room 514
Austin, TX 78778
Fax: 512-524-6211
Email: wage.hour@twc.texas.gov – For supporting documents only

Wage Claim Appeals Contact Information

Online: [Notice of Payday Law Claim Appeal](#)
<https://apps.twc.texas.gov/UBS/appealsContactUsSp.do>
Mail: Texas Workforce Commission
Wage Claim Appeals
101 East 15th Street, Room 678
Austin, TX 78778
Fax: 512-463-9318 (Appeal Tribunal)
Fax: 512-475-2044 (Commission Appeal/MR)

How To File a Texas Payday Law Wage Claim

Staff assisting customers wishing to file a wage claim should advise customers to submit a Payday Wage Claim *online*, or by completing the paper form.

- **Online:** Filing [online](#) is secure and ensures customers complete the required information. Customers who use the online system can confirm the claim was submitted by logging into the system. Go to “How to File a Wage Claim” and click on the preferred language of the online wage claim form.
 - Log in by entering their User ID (UID) and password. New users must sign up for a UID.
 - Select “Start a New Claim.”
- **Paper:** Customers can file by completing the paper Wage Claim Form ([English](#) or [Spanish](#)). The form must be complete, accurate, and legible. Paper forms can be submitted by fax or mail. Wage Claim forms cannot be submitted by email but supporting documents can be emailed.
 - After completion of the paper wage claim form it must be signed by the customer and sworn to before a Workforce Solutions staff member or designee, or a notary public.
 - Immediately mail, email or fax any payroll checks or pay stubs and any other information to support the claim. If the wage claim has insufficient information, the claim may be returned or dismissed.

Notify the **Wage and Hour department** if the customer changes their address or phone number. TWC needs the customer's current contact information when sending a payment or requesting additional information.

Call the **Wage and Hour department** at 512-475-2670 or 800-832-9243 with any questions.

Wage Claim Process

After the Wage and Hour department receives a wage claim, the customer is notified by mail that the document was received and is given an estimate date by which TWC will issue a Preliminary Wage Determination Order (PWDO).

Simultaneously, the employer is notified that a wage claim was filed, and a response to that claim is requested. The employer will receive an Employer Response form with a copy of the claim and any attachments. Once the Wage and Hour department begins the investigation, an investigator may contact either party if additional information is needed.

TWC will issue a PWDO based on the investigation. Both the customer and the employer will have right to appeal the PWDO.

To appeal the PWDO, the customer or employer must file within 21 calendar days of the date of the PWDO. The preferred filing method is using the [online wage claim appeal](#). Customers may also print the appeal form, complete and file by mail or fax.

If neither party requests an appeal, and if the amount ordered due is not submitted by the employer within 30 days after the date of the PWDO, the PWDO will become a Final Order, it will be referred to the Wage and Hour Collections unit for collection action.

Withdrawal of a Wage Claim

Some customers wish to withdraw their wage claim after submitting it. Staff assisting customers who wish to withdraw a wage claim should distribute the most recent [Withdrawal of Wage Claim form \(WH -119\)](#), located on the [Payday Law web page](#).

Withdrawing a wage claim is final. Customers may not cancel the withdrawal once it is submitted.

Additional Information

Wage amounts awarded in wage claim cases are not drawn from state funds. Any monies that are determined due to a customer must first be collected from the employer before being paid.

If the money cannot be collected, a lien may be filed as a permanent record of the debt owed to the customer by the employer. Any money collected on a customer's behalf will be forwarded to the most current address on file with TWC.

It is the customer's responsibility to notify TWC in writing if their address or phone number changes at any time.